

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
BRAVEHEART NAVIGATION S.A.,

Plaintiff,

- against -

SWISSMARINE CORP. LTD.,

Defendant.  
-----X

ECF CASE

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 06 25 08

**EX PARTE ORDER FOR PROCESS OF MARITIME  
ATTACHMENT AND GARNISHMENT**

**WHEREAS**, on June 24, 2008, plaintiff, BRAVEHEART NAVIGATION S.A. ("BRAVEHEART"), filed the Verified Complaint herein for damages amounting to \$389,495.19, inclusive of interest, costs, and reasonable attorneys' fees, and praying for the issuance of Process of Maritime Attachment and Garnishment pursuant to Rule B of the Supplemental Admiralty Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions of the Federal Rules and Civil Procedure, and

**WHEREAS**, the Process of Maritime Attachment and Garnishment would command that the United States Marshal or other designated process server attach any and all of defendant's tangible and intangible property within the District of this Court, and

**WHEREAS**, the Court has reviewed the Verified Complaint and Rule B(1) Affirmation and the conditions of Supplemental Admiralty Rule B appearing to exist, it is hereby

**ORDERED**, that Process of Maritime Attachment and Garnishment shall issue against all tangible and intangible property of defendant in this District, and if such property cannot be found, against other tangible or intangible property, credit and effects, claimed by or being held for the defendant by any garnishees within this District, including the garnishees listed in



Attachment "A" to the Process of Maritime Attachment and Garnishment and/or any other garnishee(s) on whom a copy of the Ex Parte Order for Process of Attachment and Garnishment in an amount up to and including \$389,495.19 pursuant to Rule B of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions of the Federal Rules of Civil Procedure; and it is further

**ORDERED**, that any person claiming an interest in the property attached or garnished pursuant to said Order shall, upon application to the Court, be entitled to a prompt hearing at which the plaintiff shall be required to show cause why the attachment and garnishment should not be vacated or other relief granted; and it is further

**ORDERED**, that supplemental process enforcing the Court's Ex Parte Order for Process of Maritime Attachment and Garnishment may be issued by the Clerk upon application of the plaintiff without further Order of the Court; and it is further

**ORDERED**, that a copy of this Ex Parte Order be attached to and served with said Process of Maritime Attachment and Garnishment; and it is further

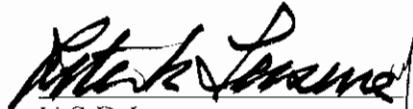
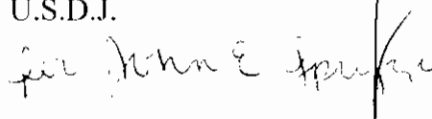
**ORDERED**, that following initial service upon any garnishee by the United States Marshal or any other person designated by Order to make service in this action, supplemental service of the Process of Maritime Attachment and Garnishment may thereafter be made by way of facsimile transmission or other verifiable electronic means, including e-mail, to each garnishee so personally served; and it is further

**ORDERED**, that service on any garnishee herein is deemed to be effective and continuous service throughout the remainder of the day upon which such service is made, commencing from the time of such service through the close of the garnishee's business the next business day.



Dated: New York, New York  
June, 22, 2008

SO ORDERED:

  
U.S.D.J.  


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**ATTACHMENT "A"**

Citibank  
399 Park Avenue  
New York, NY 10022

Bank of America  
c/o Zeichner, Ellman & Krause LLP  
575 Lexington Avenue  
New York, NY 10002

Bank of New York  
1 Wall Street  
New York, NY 10286

JP Morgan Chase Bank  
One Chase Manhattan Plaza  
New York, NY

HSBC (USA)  
120 Broadway  
New York, NY

Wachovia Bank  
360 Madison Avenue  
New York, NY 10017

Barclay's Bank  
200 Park Avenue  
New York, NY 10166

Standard Chartered Bank  
1 Madison Avenue  
New York, NY 10010

Deutsche Bank  
60 Wall Street  
New York, NY 10006

Fortis Bank  
520 Madison Avenue  
New York, NY 10022

UBS  
299 Park Avenue  
New York, NY 10171